

AUG 27 2012

JULIA C. DUDLEY, CLERK
BY: *J. Clark*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

JAMES A. LESTER

Plaintiff,

Civil Action No. 1:10cv00012

v.

ORDER

MICHAEL J. ASTRUE,

Commissioner of Social Security,

Defendant.

By: JAMES P. JONES

UNITED STATES DISTRICT JUDGE

It appearing that no objections have been timely filed to the Report filed August 7, 2012, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

1. The Report and its findings and recommendations are wholly **ACCEPTED** and **APPROVED**;
2. Attorneys' fees are awarded to the plaintiff under the provisions of 42 U.S.C.A. § 406(b) in the amount of \$5,000.00; and
3. Plaintiff's counsel shall refund to Lester the \$1,481.25 previously awarded pursuant to the Equal Access to Justice Act, ("EAJA"), 28 U.S.C.A. § 2412(d).

ENTER: August 27 2012.


United States District Judge